No. 04-2261

UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT

DARRYL LEE HAAN ORDER

Plaintiff/ Appellant

SEPTEMBER . 08. 2005

v.

MICHIGAN ATTORNEY GENERAL . et al.

Before KENNEDY . CLAY and GILMAN . Circuit Judges

Darryl Lee Haan . petitions the court to rehear its july 26.2005 . Orderthat affirmed a district court judgement that dismissed his civil rights complaint filed under 42 U.S. C. & 1983 for lack of subject matter jurisdiction . Upon consideration . the panel concludes that it acted under no misapprehension of law or fact that warrants a rehearing . Fed. R. App. P.40. a Accordingly. the petition for a rehearing is denied .

ENTERED BY ORDER OF THE COURT

CLERK .